

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

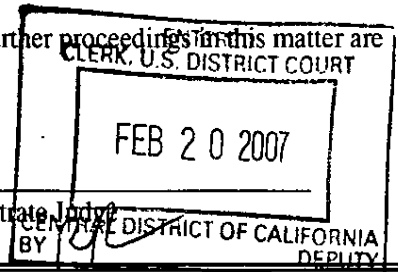
425 Shirley Pl., LLC,	PLAINTIFF(S)	CASE NUMBER	CV 07-242
v.		ORDER RE LEAVE TO FILE ACTION WITHOUT PREPAYMENT OF FILING FEE	
R. B. Edmond,	DEFENDANT(S).		

IT IS ORDERED that the complaint may be filed without prepayment of the filing fee.

Note: This order does not authorize service of the complaint by the U.S. Marshal. Further proceedings in this matter are subject to the orders of the Judge to whom the case is assigned.

Docketed
 Copies / NTC Sent
 JS - 5 / JS - 6
 JS - 2 / JS - 3
 Date _____
 CLERK

United States Magistrate Judge



IT IS RECOMMENDED that the request of plaintiff/petitioner to file the action without prepayment of the filing fee be **DENIED** for the following reason(s):

- ☐ Inadequate showing of indigency
☐ Legally and/or factually patently frivolous
☐ Other: _____

- ☒ District Court lacks jurisdiction
☐ Immunity as to _____

Comments:

Pro se defendant in state eviction case seeks removal to this court. There is no basis for this court's original jurisdiction over the subject matter of the state action (under either diversity or federal question jurisdiction), therefore, there is no basis for removal. See 28 U.S.C. § 1441(a) (civil action brought in State court over which federal district courts have original jurisdiction may be removed to federal district court). See also prior orders denying leave to action without prepayment of filing fee in Case No. CV 06-6277.

January 17, 2007
 Date

United States Magistrate Judge

IT IS ORDERED that the request of plaintiff to file the action without prepayment of the filing fee is:

☐ GRANTED

☒ DENIED (See comments above)

2/8/07
 Date

United States District Judge